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JAN 12 2006

PATENT
317.1030001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
Eldon Roth)
Serial No.: 10/780,255) Group Art Unit: 1761
Filed: February 17, 2004) Examiner: Arthur Corbin
FOR: METHOD FOR PRODUCING A)
pH ENHANCED COMMUNITED) Via Facsimile: 571-273-8300
MEAT PRODUCT)

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SUBMISSION UNDER 37 C.F.R. §1.8(b)

In the Final Office Action mailed September 16, 2005, in the above-identified application, the Examiner advised the Applicant that the Information Disclosure Statement mailed May 20, 2004 (May 20, 2004 IDS), was not received in the Office. This submission is made concurrently with the Applicant's response to the September 16, 2005 Final Office Action, and is made to inform the Office that the subject May 20, 2004 IDS was properly submitted under the certificate of mailing procedure set forth under 37 C.F.R. §1.8.

Enclosed with this paper is a copy of the entire IDS document mailed May 20, 2004, along with copy of the return postcard which was also submitted with the IDS and stamped received by the USPTO on May 24, 2004.

It is noted that the form PTO/SB/08A included in the May 20, 2004 IDS was submitted under M.P.E.P. §609.02(A)(2) in order to list the references that were of record in the parent case, now U.S. Patent No. 6,713,108. Thus, these references should already be considered in the present case. However, the Applicant requests that the consideration of the parent case

1 references be confirmed, and requests that Examiner return an initialed copy of the enclosed form
2 PTO/SB/08A in that regard.

3 The undersigned attorney executed the May 20, 2004 IDS, in the above-identified case,
4 executed the 37 C.F.R. §1.8 certificate of mailing incorporated in the IDS, and also directed the
5 responsible staff member to place the IDS in the mail on that day according to firm mailing
6 procedures. The undersigned attorney believes that the IDS was properly placed in the U.S. mail
7 on May 20, 2004, and further believes that the Office did in fact receive the IDS on May 24,
8 2004, as indicated by the return postcard, a copy of which is enclosed.

9 In view of the above notice to the Office that the May 20, 2004 IDS was properly mailed
10 on that date, the enclosed copy of the May 20, 2004 IDS, and the above statement attesting to the
11 proper mailing of the May 20, 2004 IDS, the Applicant respectfully requests that the IDS be
12 accepted as timely filed on May 20, 2004, pursuant to the certificate of mailing procedure under
13 37 C.F.R. §1.8.

14 Respectfully submitted,

15 The Culbertson Group, P.C.

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17
18
19 Dated: 12 Jan 2006

20 By: 

21 Russell D. Culbertson, Reg. No. 32,124

22 Trevor Lind, Reg. No. 54,785

23 1114 Lost Creek Boulevard, Suite 420

24 Austin, Texas 78746

25 512-327-8932

26 ATTORNEYS FOR APPLICANT

27 CERTIFICATE OF FACSIMILE

28 I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark
29 Office, (Fax No. 571-273-8300) on January 12, 2006.

30 Russell D. Culbertson, Reg. No. 32,124 

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32
33 1030001_1.8(b) Submission.wpd
34

The Culbertson Group, P.C.
Intellectual Property Attorneys and Counselors

Phone: 512.327.8932
Fax: 512.327.2665

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1114 Lost Creek Blvd.
Suite 420
Austin, TX 78746

**CONFIDENTIAL
TELECOPY MESSAGE**

TO: Mail Stop AF, USPTO
FROM: Russell D. Culbertson
RE: Application Serial No. 10/780,255
OUR FILE NO.: 317.1030001
DATE: January 12, 2006
PAGES INCLUDING COVER: 18
FAX NO.: (571)273-8300

MESSAGE:

**RE: SERIAL NO. 10/780,255
GROUP ART UNIT 1761**

**ATTACHED:
PETITION FOR EXTENSION OF TIME (PTO/SB/22)
CREDIT CARD PAYMENT FORM (PTO-2038) FOR EXTENSION OF TIME
SUBMISSION UNDER 37 C.F.R. § 1.8(b)
COPY OF IDS MAILED MAY 20, 2004 AND RETURNED POSTCARD
RESPONSE TO FINAL OFFICE ACTION MAILED SEPTEMBER 16, 2005**

**PLEASE DELIVER TO:
EXAMINER ARTHUR L. CORBIN**

**IF THERE ARE ANY ADDITIONAL FEES DUE OR ANY UNDERPAYMENT OF
FEES, THE DIRECTOR IS AUTHORIZED TO CHARGE ANY SUCH FEES TO
DEPOSIT ACCOUNT NO. 50-3227 (Our File No. 317.1030001).**

Thank you!

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, (Fax No. (571)273-8300) on January 12, 2006.

Russell D. Culbertson, Reg. No. 32,124



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